THE EXAMINER.

No. 269. SUNDAY, FEB. 21, 1813.

THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 260.

SENTENCE AGAINST THE EXAMINER, WITH AN OBSERVATION OR TWO ON SOME PROPOSALS OF A SUBSCRIPTION.

In again speaking of the present situation of my brother and myself, I offer no apology to the readers for continuing to think them interested in matters of this personal nature. Far from regarding any such apology as the exercise of a becoming modesty, or as a proper request for indulgence, I should consider it as a piece of affectation on my part, and a bad compliment to them. We may excuse the impatience, though perhaps we may not admire the good-humour or even good sense of the critic, who in reading a passage of MONTAIGNE, where he talks of preferring one wine to another, exclaimed, "What the devil is it to me which wine he prefers!" It was a matter of indifference. But an Englishman, politically affected in his condition, is an object of natural interest to all the reflecting part of his countrymen;—the cup that he drinks may be shared by the very best of them;—it may come round to their lips with double bitterness, should the stream of public justice be suffered to grow fouler;—and setting aside even this broad light of the matter, I should not be easy in withholding what information I can give, from the numerous enquirers after us, known or unknown. In that respect, we have found in the very midst of our want of comfort and of power, a delight which none but such situations can afford,—that of the most disinterested attention. Separation has only brought the hearts of our friends into closer contact with us; and we have had even from strangers those cordial graspings of the hand, which speak volumes of manly good-will.—I trust, that when the hand that is now writing shall have grown too feeble to hold a pen, the feel of that strenuous honesty shall still be living in it's palm.

A Committee has been assembled in the prison at Cold Bath Fields, and my brother's condition as much mended as he himself expected at present,—relatively speaking of course,—for with regard to the main point of sending us to houses of correction and to prisons built for reputed felons, and of subjecting us by such a proceeding to the necessity of asking the most allowable comforts as indulgences, we can never consider ourselves but as unjustifiably treated, and never abandon our protest against it accordingly. My brother expresses himself sensible of the politeness both of the magistrates and the keeper.—To the circumstances of my own condition I have nothing to add since last week. My place of exercise continues to be the same, and my friends are not allowed to come up to my room; but another medical certificate is to be laid before the Committee; and as this is a matter, not of political opinion, but of common reason and sympathy, I am induced to expect a favourable result.—The habitual readers of the *Examiner* are aware of the duration of my illness, and may have guessed it's severity by the occasional excuses I have made for not writing the customary Political or Theatrical articles; but as I have sometimes gratified myself with thinking that they may not have discerned it in my tone when I *did* write, and as I know not to what extent others may have been deceived by mean or malignant reports, I have no hesitation in being more particular on the subject. It was a disorder of what is called the nervous species,—not of the lighter or more lady-like description,—not the devil that haunts routs and card-parties, and that is to be driven away by the pointing of a bottle of hartshorn, or the fumigation of burnt feathers, but a constant depression of spirits, accompanied with a general weakness and wasting of body, so that by some persons a nervous consumption was apprehended; but that was not the case, nor did my physician suppose it:—it was only, I believe, a general warning of the system for me to do my duty towards it, and make up for the long sedentary habits in which I had indulged myself, —the sensual indolence of a student. Some days before we were brought up for judgment, I had become considerably better; and I still reckon myself in the way of recovery,—only the unexpected separation from my family, and the want, still existing, of a more comfortable place of exercise and of the visits of my friends, have helped to dash me back a little. Now a person, however stubborn his political spirit may be, whose system has been so affected, mere imprisonment, one should imagine, ought to be quite enough punishment, even though he might bear it with patience. At any rate, it will not be reckoned singular, I trust, that having lost a full third of my flesh, I should think myself justified in contesting with the Court of King's Bench the possession of the remainder.

With regard to the reports abovementioned, that have gone abroad respecting us, it is impossible not to be amused with the contradictions and inventive spirit of some of them, though I suspect that altogether they have done me no good. I say little of those respecting my actual situation, some of which have been generous enough to place me in elegant apartments sixty feet long, while others have deplored my lot in being stuck into a cell little better than that of the unfortunate TRENCK. I shall only observe, by the way, that my room is really a good-sized one, airy, and sufficiently light; it has indeed a stone floor, as well

as bare walls, and high, grated windows, but the windows have been glazed, and matting and carpeting have done much for the stone floor, though they have not prevented me, somehow or other, from having a severe fit of rheumatism. But one person has reported that I am a desperate fellow to look after,—full of noise and turbulence,—another, that I am disposed to quarrel with every thing, good or bad,—a third, that I do not say much, but am only the worse on that account,—and a fourth, on being told in the midst of an invective that I am a young man of respectable character, insists that I am forty at least, and that he once filed a bill in Chancery against me; in fine, some give out that we have got a private fund to meet the expenses of law, and therefore do not want a subscription, while others are assured that whatever we may possess already, a subscription is our principal object.—To perfect these resemblances, I expect to hear soon that I am a fair, comely looking person, with a ruddy countenance, light hair and eyes, and well-rounded limbs,—only somewhat given to drinking and beating my wife, and a fellow there is no bearing for an hour.

Spectatum admissi, risum teneatis, amici?

These are not matters for serious notice; but with respect to the subscription, we may as well take the present opportunity of explaining ourselves once for all. Several proposals have been privately made to us for commencing on;—of others, we have heard from more public quarters; and one has been hinted to me, of a description so generous and considerate, that as it would be impossible for a public writer to accept it, who is afraid, not indeed of the fine spirit of others, but of his own gratitude, so it would be equally impossible that he should ever forget it. But the fact is, we have hitherto declined and do still decline, all the good wishes of our friends upon this head. Not that we blame other persons in our situation, who have been thus assisted:—far from it, we think that they were perfectly in the right, and we should do exactly as they did if we found it necessary. But we are decidedly of opinion, that nothing short of absolute incapacity to live with decency in prison, or to meet the fine when it becomes due, would justify us in accepting a subscription; and whatever pecuniary struggles we have sustained, or may still be sustaining (for we owe to ourselves a plainness of speech on this head), we think that if we can still manage to live with this decency, and meet the fine as we hope we shall, it becomes us not to be paid for performing our duty. Early difficulties have hitherto anticipated our comforts; but the prospect of even an elegant competence is still before us;—two years may enable us to issue out upon it, and emerge from our difficulties and our prison at once; and till then, if we can but obtain the society of our friends, we shall think ourselves amply rich in the good opinion of the public, and in the consciousness of deserv-

Disposals, &c.

FOREIGN INTELLIGENCE.

FRANCE.

PARIS, FEB. 10.—The *Moniteur* of the 9th February contains a very voluminous report to the Emperor by the Council for Naval Constructions, in which it tells him, that the attention his Majesty has paid to naval constructions, has given an activity and extent to them, of which no reign can furnish an example; and that the rapidity with which his naval forces increase in his arsenals, may give an idea how dreadful they will become to the enemy of the repose of France, and must prove to him that the balance of the ocean's empire is ready to be placed in equilibrium.

GERMANY.

DRESDEN, JAN. 29.—It results from the last intelligence from Warsaw, that Prince Schwartzenberg is still near that town, in his position of Poltusk. Gen. Reynier occupies, with his corps d'armée, cantonments upon the banks of the Bug: he has briskly repulsed all the attacks of the Russian advanced-guard.

POLAND.

POSEN, FEB. 3.—The French head-quarters are still in this town. The Prince Viceroy inhabits the Palace of the Prefecture. We expect, in a few days, 39,000 French troops, among whom are many cavalry. The Prince of Neufchatel, being much better, set out the day before yesterday from Posen for his place of destination. The Marshal Prince of Eckmuhl, after having sojourned here for some days, departed yesterday. Marshal the Duke of Istria has been here for some days. We have received accounts from Warsaw of the 28th of January. Every thing was tranquil in that city.

PORTUGAL.

LISBON, FEB. 8.—Our troops remain in their winter-quarters. Lord Wellington is in advance at Freynada, and Gen. Hill at Corin. The Northern French Army is cantoned in Salamanca, Valladolid, and that line of country. Soult remains in Toledo, from whence he has detached 10,000 men to join Suchet, whose force is now 18,000 men including 3,000 cavalry and a fine park of horse-artillery.

UNITED STATES OF AMERICA.

Extract from Mr. Clay's speech on the Temporary Army Bill.—"It is absurd to suppose we shall not succeed in our enterprise against the enemy's provinces. We have the Canadas as much under our command as she has the ocean; and the way to conquer her on the ocean is to drive her from the land. *I am not for stopping at Quebec, OR ANY WHERE ELSE!* but I would *take the whole Continent from them, and ask them no favours!* Her fleets cannot then rendezvous at Halifax as now; and having no place of resort in the North, cannot infest our coast as they have lately done. It is as easy to conquer them on the land, as their whole navy could conquer our's on the ocean. As to coping with them at sea, we cannot do it,—We can annoy them, but not meet them on the open sea. I would meet them, and hurt them, however, where we can. *We must take the Continent from them. I wish never to see a peace till we do!* God has given us the power and the means; we are to blame if we do not use them. If we get the Continent, she must allow us the freedom of the sea."

IRELAND.

DUBLIN.—In the Court of King's Bench, on Saturday, Feb. 6, came on the trial at bar, on an information Ex-Officio,

by the Attorney-General, of Hugh Fitzpatrick, printer, for a libel, contained in a work, entitled, "A Statement of the Penal Laws which aggrieve the Catholics of Ireland." The matter charged as a libel stated, "that at the Summer Assizes of Kilkenny, one Barry, a respectable Catholic farmer, had been convicted and executed, after his innocence was clearly established; and that the Duke of Richmond's Government would probably be called to account for the fact in Parliament."—The Jury brought in a verdict of *Guilty*.

PROVINCIAL INTELLIGENCE.

On Wednesday last a meeting of the Friends of Civil and Religious Liberty, resident in Harlow, Essex, and the adjacent villages, was held, agreeably to public notice, at the Green Man, Harlow, to "consider the propriety of petitioning the Legislature for a repeal of all Penal Laws in matters of Religion, that all classes of his Majesty's subjects may equally participate the rights of Britons and the blessings of the Constitution."—Mr. Barnard, of Harlow Mills, was chosen Chairman. Several Resolutions in favour of the proposed measure, and Petitions to both Houses of Parliament, conformable thereto, were brought forward by Mr. B. Flower, and seconded by M. Burgoyne, Esq. all of which were agreed to unanimously.

On Monday se'nnight, in the evening, a daring attack was made upon two of his Majesty's Gamekeepers, by five poachers, who were discovered in Windsor Great Park, in the act of shooting the pheasants. These men were all armed with firearms and bludgeons, and several with long poles of a peculiar construction, with which they are accustomed to discharge the spring guns which are set in their way. By this unequal force the keepers were overpowered, although they manfully fought with the pikes which they usually carry, and inflicted many severe wounds on their sturdy opponents. One of the gamekeepers was so dreadfully beaten, that his life is in the utmost danger, from the severe blows he received on his head with the butt-end of a gun, till it was shattered from the barrel, and the lock broken in pieces. One of the offenders is in custody.

Mr. R. Sack, of Penshurst, Sussex, farmer, was barbarously murdered on Monday se'nnight, by *Henry Langridge*, a labourer, who resided in a cottage belonging to Mr. Sack. Langride has absconded.

The woman, *Edith Marcey*, convicted of aiding and abetting *Lomas* in murdering her husband at Hankelow, in Cheshire, and whose sentence was respited on account of her pregnancy, was executed on Saturday se'nnight at Chester. When on the scaffold she acknowledged her guilt, and exhorted the spectators to take warning from her melancholy situation; she has left five children, the last of whom was brought into the world about a month previous to her awful exit.

On the evening of the 8th inst. the house of Miss Bakewell, at Swepstone, near Ashby-de-la-Zouch, was attacked by a gang of five desperate robbers. Three of them secured two female servants, and proceeded to plunder the house; the footman was unfortunately out. Two of the robbers entered the dining-room, where Miss Bakewell was sitting alone, reading; one of them threatened to blow her brains out if she made the least noise or resistance, and demanded her money, plate, &c. She and a female servant delivered to them the plate, of the value of near 300*l*: they then left the house. *Samuel Dickons*, *Daniel Lynn*, and a woman, three of the gang, have been apprehended at Birmingham, with a great part of the property stolen by the officers of the Police of that place; and on Sunday morning early, *William Smith* and *Thomas Cook*, the two others of the gang, were apprehended at Leicester.

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Thursday, Feb. 18.

WAR WITH AMERICA.

Earl BATHURST observed, that his object in addressing their Lordships was, to call upon the House to declare, whether the Government of this country had acted properly in rejecting the proposition made on the part of America, to suspend the exercise of our undoubted right to search for our own seamen during the discussion of the question, whether any substitute for the present mode of exercising it could be found, and that, too, without stating any regulation in the first instance.—His Lordship said, that the right which the Americans called upon us to abandon was our right of impressment,—a right which we had always exercised, without dispute, in regard to other countries,—a right which we permitted other countries to exercise in regard to us,—a right which we had uniformly acted upon, and one which we could not abandon, without sapping the foundation of our maritime greatness,—essential to the interests of this country,—and indirectly essential to the interests of Europe, and even to those of America herself. But Mr. Monroe had said, that a different regulation might be adopted to effectuate the same object. For these ten years, the American Government had been finding fault with its exercise, and yet they had never attempted to state any such regulation. Why did they not bring forward their regulation, that it might be seen whether it was really calculated to answer the purpose? We did not claim the exercise of the right as far as respected national ships. Why did they not try the efficacy of their regulation, in regard to these ships? But they had adopted no such regulations; on the contrary, in that country where the practice of taking the seamen of this country into their ships had most prevailed, all representation on the subject had been treated with the most marked and uniform neglect.—At the very moment when they tendered some regulation on this subject, they held out unexampled encouragement to desertion. They actually claimed the right of cancelling the allegiance due to this country from its own subjects; and that too in time of war, when such a pretension, if acted upon to a great extent, must be peculiarly pernicious. The condition for becoming a citizen of the United States was a residence of five years, and a residence merely, without any property or interest in that country. Their Lordships must at once perceive how easily testimonials of such a residence might be fabricated, especially were there was no interest to prove the allegation false. For the small sum of one dollar, any person, upon the attestation of two witnesses, might get a letter of citizenship, which was to be *prima facie* evidence that he was a citizen.—When some regulation was proposed, Mr. Monroe distinctly stated, that it was not to affect people of that description. He did not mean to say, that under no circumstances ought we ever to accede to any regulation different from our present mode of exercising our right of searching for, and taking our own seamen; but certainly we ought never to abandon the right itself, nor ought we to give up our present mode of exercising it, till we saw how any other regulation that might be proposed would operate in securing to us the same result. The Americans were industriously informed by their Government, that Great Britain was so much pressed at present, that if they only stood firm, this country must yield to their unreasonable demands. He hoped, however, that their Lordships would shew, by their vote of this night, that this country was not so much pressed by the difficulties of the times,—not so weak or divided in policy as to shrink from going to the foot of the Throne, to express their approbation of determined resistance, when the most essential rights and interests of their country were at stake. In this hope, he proposed that an Address to this effect should be presented to the Prince Regent—

"That the House had taken into its serious consideration the papers laid before them in regard to the war with America; and while they deeply regretted the necessity of commencing hostilities, they yet entirely approved of the resistance made to pretensions which could not have been acceded to without abandoning the most essential rights of the country; and that his Royal Highness the Prince Regent might rely upon their zealous support of such measures as might be calculated to carry on the war with vigour."

The Address being read by the Chancellor,

The Marquis of LANSDOWNE had certainly expected, that when the Orders were repealed, America would have retired

to such a pacific disposition as would have paved the way for the adjustment of other differences.—Adverting to the impressment of our own seamen, he stated that he could not perceive that there was any difference in regard to the principle: the dispute was about certain abuses which were alleged to exist in the practice. The principle might be admitted, that we had a right to the allegiance of our own subjects; but it would be justly added, that we ought not to extend that in practice so far as to press American seamen into our service: and there could be no doubt but we ought to endeavour, as much as possible, to prevent any such abuses. In a question, then, involving so much national prejudice, it was essential that the parties should meet with a disposition mutually to conciliate. He could not yet abandon the hope that means might still be found for the restoration of peace, and placing that peace upon a permanent footing; and he was glad to find some manifestation of such a disposition to enter into discussion for that purpose, both in the proposition of Mr. Monroe to Sir John Borlase Warren, and in the declaration of the Prince Regent; though he admitted that the proposition of Mr. Monroe was not such as could with propriety have been accepted. If the Orders in Council had been sooner recalled, he was convinced that this war would never have taken place; for it appeared from these papers, that it would have been impossible for the Government to have got the people to second its views. When we talked of the hostile disposition of the American Government, we ought to consider what was the nature of that Government. If there was any country in the world where *public opinion* had an immediate operation on the Government, it was America. If, then, twenty years ago, the disposition of America was known to be highly favourable to this country, we ought to review our own conduct and policy, that we might ascertain whether there was any thing in that conduct to give just occasion for the hostile disposition which was now said to exist. In all our transactions with foreign countries, and especially with America, we ought to study the temper, disposition, and even prejudices not only of the Governments, but of the people; not, however, with a view to surrender our own rights, but to conciliate, as far as was consistent with the interests and honour of our own country, the good opinion both of the rulers and the subjects of other countries. But while he recommended a mild, temperate, and conciliating conduct, in time of peace, he was far from recommending a slow and dilatory mode of carrying on war. When war had once commenced, there was no resource, but a vigorous and determined prosecution of it, in order to bring it to a speedy and favourable conclusion. The want of this proper vigour in the prosecution of the war was palpable, and deeply to be lamented; for if there was any thing more calculated to generate contempt and confidence in an enemy, it was the union of lofty pretensions with insufficient means and dilatory execution. He could not refuse his assent to the present Address: but at the same time, he hoped the Government would evince every disposition, without sacrificing the honour of the country, to come to some amicable arrangement in regard to the practice of impressing our seamen from American ships, without abandoning the principle.

Lord MELVILLE was perfectly ready at any time to enter minutely into the discussion of the subject, and to show that there had been no negligence or misconduct in the conduct of the naval war on the part of any branch of the Government.

Marquis WELLESLEY fully agreed in the general tenour of the Address. In its justice,—in the importance of its object,—in the importance of exerting all our powers for the end of bringing the enemy to a due sense of their situation with respect to war with England,—in the absolute necessity, upon all sound and rational views, of being unanimous in the prosecution of the present struggle, and pledging the Legislature to the Government; but he was anxious, that while he approved of the general object of the Address, it should be understood that he differed widely from it, as to the conduct of the war.

Lord LIVERPOOL said, that the motives set forth by America were not her motives. Who could now believe that the right of impressment was the actual cause? That right was, no doubt, an old and solemn right of England; but it was not of a nature that refused to admit of modifications. Amicable discussions might have reduced the whole controversy to nothing; but was it to be believed, that America wanted this? The war was not one of interest, but of passion and inflamed feelings. As to the imputation of negligence to our Navy for the escape of the enemy's squadron; so far from wondering that such circumstances sometimes occurred, he was only surprised that they occurred so seldom. But if America was led on by passion, it was fit that there should be no passion here; and that a war begun in justice should receive the support—the rational and unanimous support—of the Legislature.

Lord HOLLAND expressed his belief, that from the extreme nicety of the point on which the negociation broke off, it might not be altogether hopeless of renewal. On the question of naturalization, there could be no doubt that the King had a right to the services of the natives of this country, and that the flag of the merchant could not protect them. But strong as were the demands of America, we had made stronger in our day.—He accidentally had taken up the Statute Book on the table, and found a Statute of Anne, enacting, that any man, not merely who resided in England, but in any other country, and took the oaths of allegiance to the Queen, should be considered as under English protection. With some objections, he approved of the tenor of the Address.

Lord HARROWBY must say, that if the Americans insisted on our giving up the right of impressment, there was no probable end of the dispute between the two countries: an interminable war must ensue; and he thought that all who heard him would be ready to expend their last shilling in such a cause.

Lord ERSKINE agreed that the war which America was waging against us was a war of passion, but it was a passion provoked by our aggression. There were principles of honour among nations, as there were among individuals; and the party first aggrieved must not be the first to succumb. As to the proposal respecting the impressment of seamen, in his mind there was a great difference between suspending a right, and altogether giving it up. America did not call upon us to give up this right, but to take time to consider whether it might not be suspended.

The LORD CHANCELLOR must protest against the doctrine of his Learned and Noble Friend, that our most important rights ought to be suspended even for a moment. Unless America should think proper to alter her tone, he did not see how the national differences could be settled.

The Motion was carried without a division.—Adjourned.

HOUSE OF COMMONS.

Monday, Feb. 15.

The Grand Surrey Canal Amendment Bill, on the motion for a second reading, was thrown out by a majority of 13.

VICE CHANCELLOR'S BILL.

Lord CASTLEREAGH moved the Order of the Day for the House going into a Committee on the Vice Chancellor's Bill.

Mr. LEACH said, he must admit the extent of the evil against which it was the declared intention of the Bill to provide, and that the evil demanded an immediate remedy. He opposed the present measure, because it appeared to him to tend in its consequences to disengage the Lord Chancellor from a great portion of his judicial functions, and to render an office which was primarily judicial and secondarily political, primarily political and secondarily judicial. He opposed it, too, because there was another and an adequate remedy, to which no objection could be made.—Mr. Leach here entered upon a variety of details, and then unfolded his plan, which was, that the Master of the Rolls, by being disengaged from business which could quite as well be performed by others, might then give the Lord Chancellor all the aid, nay even more aid than was required. Mr. Leach concluded a speech replete with argument, by moving as an amendment, that the House do resolve itself into a Committee on this Bill this day fortnight.

Lord CASTLEREAGH said, that by going into a Committee,

the clauses necessary to a correct judgment on it would be inserted, and on receiving the Report, it might be negatived or not, as it seemed good to the House, when the Learned Gentleman's proposal might be brought forward.

Sir S. ROMILLY observed among other things, that if the Master of the Rolls were only to hear 400 Chancery causes in every year, the arrear would be very soon got over. The Bill had certainly received the support of some learned Gentlemen, Masters in Chancery, and Welsh Judges; for his part, however, he wished there were no Masters in Chancery nor Welsh Judges in the House; he believed it would be better for both, for he had heard it said, that their being so, made Welsh Judges worse Members, and Members worse Welsh Judges. He was of the same opinion with his Hon. and Learned Friend who began the debate, that the accumulation of business might be reduced in two years, and then the Vice-Chancellorship would be a sinecure.

Mr. SIMEON disclaimed the idea which had been thrown out, that the road to the situation of a Master in Chancery laid through that House.

The House then went into a Committee on the Bill.

Lord CASTLEREAGH brought up several clauses and amendments, amongst which was one, providing that the salary of the Vice-Chancellor should be 5000*l*, instead of 4000*l*., of which one-half should be paid out of the dead fund, and the other half by the Lord Chancellor.

Mr. PRESTON could not avoid expressing his concern, that the sums arising from the dead fund, which in fact belonged to the suitors and the claimants, should be applied to purposes altogether alien,—to the payment of Judges and officers of the Court. Such was his sense of the injustice of the application, that he would take an early opportunity of calling the attention of the House to a Bill, calculated to prevent a practice so very unjust and reprehensible.

Mr. TIERNEY was of opinion, that as the Vice-Chancellor was to take 5,000*l*. worth of labour off the Chancellor's hands, it was but fair that the Chancellor should pay out of his own profits the whole of the 5,000*l*.

The remaining clauses and amendments were agreed to, and the Report was ordered to be taken into farther consideration on Monday,—Adjourned.

Tuesday, Feb. 16.

Mr. H. ADDINGTON brought in a Bill to explain the Local Militia Act. He stated, that wrong impressions had gone abroad respecting his object, whereas it was never his intention to trench upon the principles of the excellent Bill already passed.—Adj.

Wednesday, Feb. 17.

Mr. ABERCROMBY obtained leave to bring in a Bill for regulating and improving Covent Garden Market.

PENAL LAWS.

Sir S. ROMILLY said, he had, a few Sessions ago, brought in three Bills, which he thought were proper objects for legislative interference, and which he wished and thought it would be honourable to the Legislature to have repealed, because the intent of those bills was not in any degree effected. Of those bills he should only bring one before the House at present. The first of the three bills he had formerly brought in was, to repeal the Act making it a capital offence to steal privately in a dwelling-house to the amount of 40*s*.;—the second, to repeal an Act to make it a capital offence to steal to the amount of five shillings in a stable; and the third, to steal privately, to the same amount, in a vessel on the Thames, or other river. All these acts had passed the Commons by a very considerable majority, but were rejected in the other House. The Bill he now meant to bring in, was for the purpose of repealing the Act of King William, making it a capital offence to steal to the value of 5*s*. in a shop. It had always appeared to him highly objectionable, that penal laws should exist which were not enforced; this had been particularly the case with respect to the act he now alluded to. In London and Middlesex last year, 188 persons had been indicted capitally, out of which number, only 18 had been convicted; of the rest, 113 had been convicted of the arceny part of the charge, and 13 had been acquitted, so that it appeared 1-10th only were convicted, and of that tenth not one had been executed. From this he argued, that laws which were in their nature too severe, defeated the end for which they were enacted, and were seldom or ever executed, from a sort of universal understanding between prosecutors, witnesses, and jurors; who were all in their several turns restricted and kept back from pushing the prosecution to its utmost extent, from the conviction on their own minds that the punishment allotted to the crime was too severe. He read a passage from an Essay of Mr. Burke's on this subject, which deprecated and condemned as highly injurious the passing of any penal law that was not meant to be strictly enforced; which, he said, applied with very great force to the law he now wished to repeal. No man could suppose that a person stealing privately in a shop to the value of five shillings, ought, for that offence, to be subjected to the forfeiture of his life. He did not know, and therefore would not say, that no person had suffered death under this law; but as far as he could learn, he believed no one ever had. It would be, he observed, a desirable thing also, that the Judges should be relieved from that painful responsibility with which they were now charged, viz. that of passing a sentence, which, they were conscious, was too severe, or of granting a pardon in a case on which the prisoner was convicted on the most indubitable evidence. He then went into a statement of the judgment against the persons lately convicted of stealing silk on the river; and asked, when the amount of that was considered, what must be the opinion of any man as to a person's being condemned to death for stealing in a vessel on a navigable river only to the amount of five shillings; and yet, in the case above alluded to, though the amount was so very great, all the Jury had joined in a Petition to the Prince Regent to spare the lives of the culprits, because they thought the punishment of death, for stealing in a vessel on a navigable river, too severe. He next alluded to the punishments for High Treason. These punishments were never witnessed without hardening the heart and corrupting the morals. The dreadful infliction of *embowelling* was at present left to the discretion of the executioner. It had been practised on Harrison the regicide; who, when his bowels had been ript out, leapt up and struck his executioner: also in the reign of Elizabeth, on the 14 conspirators with Babington: and in the reign of the 1st Edward, on David, Prince of Wales, and Wallace, the champion of Scotland. The next thing to which he objected, was the corruption of blood, which was a very different thing from the usual cases of forfeiture. The lands and property were not forfeited to the Crown, which was insulted,—nor to the public, whose laws were violated: but to the next superior lord of the soil. Mr. Justice Blackstone had in several places reprobated this custom.

After a few words from Sir WM. GARROW, Mr. FRANKLAND, and Mr. RYDER, leave was given to bring in the Bill. —Adjourned.

Thursday, Feb. 18.

WAR WITH AMERICA.

Lord CASTLEREAGH entered upon this subject in the same manner, and almost in the same words as those adopted by Earl Bathurst in the other House, and concluded by moving a similar address.

Mr. PONSONBY said, that this compelled him to vote for the Address, because were it negatived, the war party in America would thence derive an encouragement that might be productive of much mischief. So far as his influence extended, he should ever support the great maritime rights on which the security of the empire mainly depended.

Mr. A. BARING did not believe that the assertions of the Noble Lord were correct as to the hostile dispositions of the American Government, whose conduct was influenced by the European system of politics. He contended, that the Orders in Council were, in fact, with them the grounds of the declaration of war. He did not believe that the Noble Lord had at all exaggerated the frauds that were practised in granting Certificates of American citizenship. The Noble Lord calculated the number of native Americans on board our navy at about 1600; and the proportion of British seamen in the American marine service would not be over-rated, if stated at that of ten

to one.—(*Hear!*)—This, to be sure, was a very unsatisfactory state of things. But the Noble Lord talked somewhat too lightly of 1600 Americans being in our Navy. He would ask, what would be the indignant feelings of the people of this country, if they knew that so many of their fellow-citizens were forcibly compelled to serve in the navy of another Power? The Hon. Gentleman then condemned the conduct of the war.

Mr. A. J. FOSTER said, the Hon. Gentleman had asked whether, if the revocation of the Orders in Council had been known in America before the Declaration of War, such knowledge would not have prevented that Declaration? This, he said, was a point on which he could not venture to give a decided opinion. It was certain, that in all his communications with Mr. Monroe, and the American Government, great stress was laid on the Orders in Council; and he always looked on them as the grievance of which not only the Government, but the American people, complained most heavily. The war party, he believed, had taken great pains to keep alive and ferment every subject of dispute which had for many years incidentally arisen between the two countries. He thought the Government were not sufficiently masters of their own conduct; nor did he believe they could have prevailed on Congress, last year, to have acted otherwise than they did. There were two parties in America that were very warm against this country. One of them had been in favour of the French revolution from its commencement, the other was what was called the Anti-Anglican party, who were very active in using every effort to bring about a war with this country. While Washington lived, he was able to influence them so far as to make them regard their own interests, but when he died they had succeeded in obtaining a majority—not a real majority of the people of America—but a majority in Congress, which they had effected by creating new States, and making new Senates in the southern parts of America, by which means they had been able to out vote the Northern States, to their very great injury. New settlers continually arrive in America, and particularly from *Ireland*. The more intelligent of them lost not a moment in acquiring a seat in Congress; and they had been among the foremost and loudest in their clamours against this country. He himself knew of six Irishmen who were in Congress, and they all voted for the war.

Mr. WHITBREAD said, the House were much obliged to the Hon. Gentleman who had given them an account of matters which no one else could have done. For his own part, it was a great consolation to him to hear from the Hon. Gentleman, that Mr. Madison and Mr. Monroe were not, as they had been represented by Ministers, all French, but that both of them seemed disposed to conciliate. He adverted to the Declaration of the Prince Regent, dated the 21st of April, 1812, in which it was said, that nothing but the unconditional repeal of the French Decrees should ever procure the repeal of the Orders in Council. It was from that moment, in his opinion, that the American Government determined on war; yet, he was of opinion, that after all the insults they had received (*hear, hear, hear,*) if the repeal of the Orders in Council had reached them before the declaration of war, that war would have been prevented; and if the Noble Lord had acceded to the repeal, when first pressed to it by his Honourable Friend (Mr. Brougham,) the intimation would have arrived in time for that desirable purpose. He thought there would be considerable difficulty in adjusting the article as to the impressing of seamen; but still he hoped it might be effected by negociation. He lamented, that with the navy of Great Britain against that of America, which consisted of only four frigates and a few sloops, two of our finest frigates were now in their possession, captured by only two of their's; this was a reverse which English officers and English sailors had not before been used to; and from such a contemptible navy as that of America had always been held, no one could suppose such an event could have taken place.

Mr. CANNING felt himself called upon to declare with all the candour which was due to a question of such magnitude, that the Noble Lord (Castlereagh) had his unqualified support in his vindication of the real and indisputable rights of Great Britain; although he was at the same time free to confess, that in several points, very material to the consideration of the subject, he differed most essentially from the Noble Lord. With the naval establishment of Great Britain he had no fault to find: but he had to find fault with the distribution and employment of it. He had to express his surprise, that the pen was held by the hand of the Admiral which ought to have launched the thunder. He felt it would be altogether unjust to blame the skill and courage of the officers and men in our service; yet he was bound to declare, that he was not one of those who said, that we ought not to think of the capture of the Guerriere and the Macedonian. His decided opinion was, that it could not be too deeply thought of. It was a subject which in every sense was calculated to rouse the patriotism and excite the sensibilities of the country. The spirit of our seamen had been unconquerable, and any diminution of the popular opinion with respect to that glorious and triumphant spirit, was to his mind a dreadful and alarming consideration. He trusted, however, that the spell which fascinated every mind in the confident expectation of our naval victories, would never be broken; and that accumulated instances of triumphs no less brilliant than those of former times would not cease to occur. What he had chiefly to deplore was the unaccountable inactivity which was adopted, when vigour and promptitude were dictated by the very state of things in America.

Mr. CROKER said, that the view which the Right Hon. Gentleman had taken of this subject arose from imperfect information. On the very day of the declaration of war, Commodore Rodgers put to sea without orders; and a few days afterwards the British squadron followed him, to cover and protect the Jamaica homeward-bound fleet. Sir John Warren found him, and chased him, (*hear, hear*): and that gallant Admiral had since received no mitigatory or restrained orders relative to the offensive conduct he was to pursue. The whole question now turned on our right of impressment; and on this subject an Hon. Gentleman (Mr. Whitbread) had adopted an expression of Mr. Monroe, that "we naturalized foreign seamen into our service analogously to the manner in which the Americans naturalized our seamen into their's." This Mr. Croker denied: there hardly passed a day in his life in which it did not fall to his duty to discharge seamen after more than two years of British service, at the request of the country which claimed their allegiance through its Consul or otherwise. And yet Mr. Monroe asserted, that we impressed American seamen and kept them! Whereas, an American certificate of citizenship had, in spite of all the abuses which were known to be practised upon such documents, been always respected by the Admiralty. It was but the other day, that a man produced a certificate protecting a person of light eyes, and a fair complexion; the man was a Mulatto! (*a laugh.*) And, at another time, a certificate was produced in London, purporting to have been sworn at New York five days before (*a laugh*) Surely, if this man had the faculty of travelling from New York to London in five days, he needed not to have applied to any body for a discharge from any place. He trusted that the unanimous vote which the House (he thanked God!) would come to that night, would act as a restorative to the mind of America, and would teach them to lower that high tone which the countenance of a political party had given them to assume, and that they had pushed too far the point of honour upon which the vital interest of the British nation depends.

Mr. W. SMITH said, that upon the subject of impressment, Mr. Monroe had personally expressed to him his sense of the importance of that question. He would ask, what would Great Britain say, if any foreign power maintained a right to search her ships for subjects? and surely a Government who could submit to such a right was not fit to exist as such.

The question was carried *nem. con.*—Adjourned.

Friday, Feb. 19.

The House in a Committee of Supply, voted various sums; among others—

330,000*l.* for Barrack Expences in 1812.

2,226,000*l.* for the Commissariat Department.

131,900*l.* for the Storekeeper's Department.
75,000*l.* for maintaining and employing Convicts in 1812.
8,000,000*l.* for discharging outstanding Exchequer Bills for 1812.

Mr. H. MARTIN rose, to move for leave to bring in a bill relative to the Registrars of the Admiralty. A great part of the proceeds arose from the money of suitors in the Admiralty Court. It was not the intention of the Bill to interfere with the legitimate fees of the office. It appeared from documents on their table, that the average annual sum which was solely employed for the benefit of the Noble Lord (Arden) was 200,000*l.* and for which no security was taken. It had been conceded last Session, by a late Right Hon. Gentleman, who was certainly interested in the profits of the office, for the reversion of it was vested in him, he meant Mr. Perceval, that the situation required to be regulated, and indeed he proposed to regulate it much more extensively than it was the object of the present Bill to do, which merely went to assimilate the practice of the Court of Admiralty in securing suitors' money, to the practice of the High Court of Chancery. The Hon. Member concluded by moving for leave to bring in a Bill to regulate the office of Registrars of the High Court of Admiralty and the Court of Appeals for Prizes.—Adjourned till Monday.

TUESDAY'S LONDON GAZETTE.

BANKRUPTCY ENLARGED.

E. Simms, Ashborne, Derbyshire, music dealer, from March 6 to April 24.

BANKRUPTS.

B. B. Last, Lowestoft, merchant.
W. Whinney, South Shields, merchant.
S. South, Fulham, broker.
S. Bird, Norwich, jeweller.
R. Thompson, Upper Thames-street, stationer.
Q. Finchham, High-street, Shadwell, slopseller.
R. D. Middleton, Bishopsgate-street, merchant.
F. Thompson, New-court, Bow-lane, warehouseman.
W. Williams, Oxford-street, linen draper.
I. Beckford, Plymouth, hosier.
T. Newcombe, Bawbridge, Gloucestershire, clothier.
W. Naylor, Mill-Sands, Yorkshire, fell-monger.
H. Smith, Burnley, Lancashire, grocer.
E. Guerny, Hampstead-road, corn-dealer.
J. W. and W. Turner, Liverpool, cabinet-makers.
T. Lockwood, Leeds, linen-draper.
T. Stranger, Portsmouth, ship chandler.
Ann Webb, Wimborne Minster, Dorset, currier.
W. Houlding, Handford, Staffordshire, corn-dealer.
J. Reynolds, Idol-lane, Tower-street, wine-merchant.
T. Wright, Boston, druggist.
J. Clarke, Tottenham-court-road, Staffordshire warehouseman.

SATURDAY'S LONDON GAZETTE.

BANKRUPTS.

G. Joel, Middlesex-street, Whitechapel, broker.
H. Raven, St. Albans, Herts, liquor-merchant.
T. Hipkins and Co. Hillingdon, Middlesex, plate-glass-manufacturers.
M. Elliott, Orange-street, Bloomsbury, draper.
M. Broughton, Bishopsgate-street, haberdasher.
W. Wilton, Borough of Southwark, grocer.
W. Riste, Loughborough, Leicestershire, stationer.
R. Moss, Liverpool, tobacconist.
J. Harrison and E. Jones, Newport, Monmouth, bankers.
H. Nickolls, Birmingham, builder.
J. Watson, Brooke, Norfolk, jobber.
T. Green, Alfreton, Derby, mercer.
D. Williams, Aberffraw, Anglesea, shopkeeper.
S. Garthorne and I. Chislett, Hackney-road, dyers.
W. Williams, Much Wenlock, Salop, grocer.
J. Fawley, Blackfriar's-road, upholsterer.
J. Hudson, Upper Thames-street, wharfinger.
J. Burton, Belper, Derbyshire, mercer.
H. Wood, Pettington Lower-End, Lancashire, cotton-manufacturer.
W. G. Barnard, Fore-street, Lambeth, barge-builder.
F. W. L. Stockdale, Portugal-place, Mile-end-road, bookseller.
T. Simpson, jun. Oxford-street, bookseller.
R. Gocher and Co. Cheapside, lacemen.
T. Browning, jun. Southminster, Essex, taylor.
J. Taylor, Kirkheaton, Yorkshire, grocer.

PRICE OF STOCKS ON SATURDAY.

Consols..... .....58⅞ | Red. Ann.....59⅛

Slave Traders next week.
Remarks next week on the general question respecting the Princess of Wales, and her Letter to the Regent.
Hirundo and other communications are delayed till next week.

THE EXAMINER.

London, Feb. 21.

The violent winds have prevented the arrival of a good deal of expected news from the Continent, and among them the French Exposé, or statement of political affairs. it is said, however, on the authority of a person who arrived from Paris on Monday, that immediately after the dispatch of the Message and Addresses on that subject, BONAPARTE set out for Mayence, in order to have an interview with the Emperor of AUSTRIA. If this is true, it may be surmised at once that he will gain the objects of his journey, since from what has been seen of these ominous meetings, the very consenting to talk over a business with a man of his character, pretty well announces a disposition to agree with him. Besides, leaving out of the question the other considerations that would incline FRANCIS to lean towards him *rather* than to the Emperor of RUSSIA, BONAPARTE brings with him the remembrance and good offices of an absent daughter, and his father-in-law, we believe, has very much the character of being what is called a good, easy man. Nor, in short, however shocking such an idea may be to our "legitimate" notions, do we conceive that the Austrian Emperor will be insensible to the compliment made him by this visit. It is a manifest deference paid to him for the first time, and whatever might be felt by severer and more politic princes at the sight of a conqueror who is reduced to ask favours, certain dispositions are not unlikely to feel a sort of gratitude for the change, or at least to take a pride in shewing themselves capable of assisting such a person. Revenge at best would be hazardous, and in the present instance, must inevitably hurt the family somehow;—but the enjoyment of the immediate superiority is certain and safe; and we think that the Austrian Monarch will be too well pleased with his own sensations to put a very imperial or diplomatic face on the requests of his son-in-law.

In the mean time, NAPOLEON has left no stone unturned to set the springs of his good fortune open again. He commenced with his old trick of astounding the French

people by the invincibleness of his mind and body, and making nothing of fatigue and anxiety;—this was for the stouter sort of admirers, and the soldiery:—he then begins a bustle about the coronation of his wife and son, in order to set the populace agape:—then he condescends to an interchange of good offices with the Pope, and signs we know not what kind of Concordat, which, of course, will no more be heard of when he chooses to break it;—and this is for the religious part of his subjects. Having settled these matters at home, he enters in person upon his manœuvres with foreign Courts; but first, however, by a piece of information in yesterday's *Chronicle*, it appears that he was willing to give his good people an opportunity of shewing what they could do for him in return, and accordingly sent circular letters through all the departments by means of his Prefects, recommending a subscription or voluntary contribution by way of loan, with a *solemn* promise of repayment, with *interest*, out of the receipts of the year. There is nothing like doing a thing in a grave and generous manner, while a sovereign is about it; but our own history tells us enough of loans and voluntary contributions, to inform us, how far the will of the people has any thing to do with them, and how honestly they are repaid. Bonaparte however will enjoy a double benefit from this scheme, and be enabled to play off a piece of revenge that must be very pleasant to him, in imitating one of the old tricks of our government. In the first place, he will get a good round sum of money; and in the second, he will say to his enemies, "See here, you who talk of my being hated in my dominions, what my subjects are loving enough to do for me."

"NO POPERY."

The noxious cry of "No Popery," we had hoped, would never again have prevailed in this "enlightened" country. We find, however, that the hideous din is once more sounded—that it is not even confined to those peculiarly *interested*,—certain sleek Bishops, oily Prebends, and well-fed Rectors, and their retainers,—but has been adopted by many of the lowest of the people. Pious coal-heavers and devout dustmen have, it seems, caught the holy fury, and shout with regenerated lungs. If reflecting and disinterested people are not yet converted by this choice mode of reasoning, this uproarious stile of discussion, it is merely because they do not exactly think that boisterous nonsense should prevail over quiet argument.

What is the point agitated? It is simply this: The Catholics of Ireland and England,—who, in common with their Protestant fellow-subjects, are taxed for the support of the Government, and equally expose their lives in the general defence, are excluded from all the higher honours of the State, and from many of its minor advantages. They naturally feel this exclusion as degrading and unjust, and as naturally demand that it should no longer be continued.—This is the short state of the case. As the Anti-Catholics have long been altogether beaten in argument—as the demands of this persecuted sect have been allowed to be reasonable and just by statesmen of every description,—by Chatham and Burke and Fox and Pitt—all that their opponents can now do is, to enlist the great and little vulgar on their side, and by getting together,—no matter by what sort of dirty means,—all the dirty hands in the country, to send into Parliament a multitude of Petitions against the Catholic Claims, which will of course be deemed sufficient proof—at least by the cunning party who set the work a-going,—that the reflecting part of the people are unwilling to grant the required concessions.

This is an ancient and stale trick, but not the less to be feared on that account. A course not very dissimilar was adopted in 1780: and as the horrid consequences which resulted from it may have faded in the recollection of many of our readers, and have even been forgotten by some, we think it will be useful at this time to place before them a brief notice of the awful scenes produced by a former cry of "No Popery."

In the 21st year of the reign of his present Majesty, an Act was passed to relieve the English Catholics from certain penalties imposed at the Revolution. Upon this the "No Popery" howl commenced, and every method was taken, as at this time, to inflame the passions of the people. A furious spirit of Persecution,—Christian we must of course call it,—soon exhibited itself, and a Society was formed, called "The Protestant Association," (similar to "The Protestant Union" just established in London) at the head of which was placed the renowned Lord George Gordon. The ferment continued a long time. At length, in May, 1780, a meeting of the fanatics was held at Coachmakers'-hall, when his Lordship proposed, and it was unanimously agreed, that the whole body of "The Protestant Association" should meet on the 2d of June in St. George's Fields, to proceed with a Petition against the Catholics to the House of Commons. Thousands accordingly assembled on that day, and marched in ranks to Palace Yard. Here these liberal Protestants commenced active proceedings by *compelling* the Members, as they entered both Houses, to join in the cry of "No Popery," to place blue cockades in their hats, and to take oaths to vote for the repeal of the obnoxious Act. They took possession of the avenues leading to the Houses, even to the very doors, which they attempted to force; and were only arrested in their purpose by the arrival of the military, by whom they were dispersed.—The mischief, however, was only in its infancy. These enlightened supporters of "Church and King", spread themselves over the metropolis, and commenced a series of outrages, which lasted for several days, and filled the whole country with alarm. On the night of the 7th of June, from one spot London was beheld blazing in thirty-six different quarters!! And as these propagators of "the true faith" were anxious to swell their ranks by any means, the jails were forced, and their respectable inmates having joined the holy rabble, the King's Bench Prison, Newgate, Bridewell, and the Fleet, were soon wrapped in flames, with many other public and private buildings. The Bank was attempted, but it was saved by the soldiery; and after many lives had been lost, "The Protestant Association" and their followers were compelled to disperse.—Lord George Gordon, the President, who seems to have been a very weak personage, not to say mad, ended his days in a prison, after having re-

nounced the very creed which he had thus disgraced by his ill-judged support, and had assumed the outward sign of a follower of Moses—at least if length of beard may be considered as any proof of his having adopted the religion of that ill-used people.

Now, it is not meant to be asserted, that similar scenes must certainly take place if this senseless cry of "No Popery" be continued: but we do say, that as the very same means which were then employed are now using to call forth the bad passions of the people, it is possible, nay even probable, that they will; and we therefore put it to the good sense of our readers, whether it be not every man's duty to assist in curbing this spirit of persecution, this mental pestilence? It is indeed true, that the opposers of the Catholics deny that this refusal of their Claims is any thing like injustice. Suppose, however, that ten men were to be employed in a certain service, and on their performance of it, seven of them were told, "You have done your duty, there is your reward:"—and the remaining three were informed, "You, too, have done your duty; but as you differ from the majority in certain dogmas, you can only have an inferior reward:"—who will say that such a proceeding would not be most unjust—and who will venture to deny that our Catholic brethren are not exactly thus used?

After all the disputes about creeds, where is the sensible man who will broadly affirm, that *his* is the only one acceptable to the Supreme Being? or where is the man of common intellect who can hope to alter religious opinions by civil disabilities? It is not in the power of law: you might as well, as Jeremy Taylor observed, attempt to cure the cholic by brushing a man's coat, or try to fill his belly with a syllogism.—True and lamentable it is, that the "Established" of every faith have been persecuting; and there will never be peace, if recrimination and revenge be cherished. Jews, Christians,—both Catholics and Protestants—have in turn disgraced themselves, and violated the first law of humanity. The Jew Samuel hewed Agag in pieces with a consecrated cleaver—the Protestant Calvin caused the upright Servetus to be roasted alive, for not believing in three Gods—and the Catholic Chancellor More could himself witness the torture of his countrymen, for refusing to admit that a bit of bread was God's body!—Should not these sad facts dispose all men, whatever their belief, to forbearance and friendship?—The Founder of the Christian Faith commanded his followers "*to love one another.*" How they have obeyed this divine injunction, all history shews.

Last night's Gazette contains a Proclamation, stating the deposition of the reigning Sultan of Mataram, in the island of Java, on account of various alleged crimes, and that the Lieut.-Governor of Java has elected the present Pangeran, Adipati, in his stead.

Sir J. B. Warren, with a considerable squadron, has formed a close blockade of New-York.

It is said that a copy of the Concordat agreed upon between Bonaparte and the Pope, has been received in this country; that the principal stipulations of it relate to the restoration to the Pope, by Bonaparte, of the states of the Church with full temporal power therein, and the agreement by the former to give his sanction to the last marriage of Bonaparte, and thus formally to legitimate the King of Rome, as a testimony of which the Pontiff will assist at the Coronation.

Mr. Joel Barlow, it is confidently said, died in Poland on the 26th December. He was proceeding, it is supposed, to negociate with Bonaparte a treaty of commerce between France and the American Republic.—Mr. Barlow was a man of undoubted talents.

"We have got a slight intimation (though the subject to which it refers is important), that Bonaparte is not leaving the art of negociation wholly untried in this his critical situation. It is some days since we heard that a foreigner had arrived at Deal under circumstances of mystery. This foreigner has been traced to town, where he is known to several persons of consequence. Here, as no man acting under such circumstances can remain concealed, his interviews with Ministers have been observed; and the result is said to have been the dispatching a vessel to France. More than this we have not been able to gather; and this, which we have picked up with the utmost care from various quarters, does, in our minds—as circumstantial evidence is said to constitute the best proof—bear all the external marks of an existing intercourse of some description or other between our Ministers and Bonaparte."—*Times, Feb.* 20.

Ministers have had almost daily meetings since the publication of the Princess of Wales's letter, which have been attended by the Crown Law Officers, Mr. Adam, &c. They meet at Fife-house, Whitehall, the residence of the Earl of Liverpool. A communication was made to the Earl of Cholmondeley, to know where Mrs. Lisle was to be found. She not being in London, an express was sent to her in the country, to request her attendance. The Lord Chancellor and the Earl of Liverpool communicated to the Prince Regent the result of their deliberations.

It is very pleasing to see the lively interest that has been excited by the announcement of Dr. Calcott's Concert for to-morrow, and the dilemma into which the managers of it are thrown by their doubts, whether they shall be able to confine it to the Great Room of the Opera House, or be compelled to bring it out at once into the Theatre. The *Examiner* pleases itself much with thinking that it may have contributed, in some small degree, to this very gratifying perplexity, and cannot express itself a second time with more force of good-will, than by wishing the Concert may have a crowd of visitors equal to the honourable zeal of the Managers, and the merits of it's accomplished object.

The Sultan of Djocjocarta, in the island of Java, "having refused his acquiescence to those terms" which the Hon. P. S. Raffles, Lieutenant-Governor of the island, "in his wisdom had been pleased to offer," he was attacked in his palace, on the 20th of last June, by Col. Gillespie and a body of troops, defeated, and taken prisoner.—What the terms were, which Mr. Raffles had in "his wisdom" offered to the Sultan, is not even hinted; but Col. Gillespie, who appears to be a very brief Gentleman, speaks in a strong tone of "the measures adopted under his authority of bringing this insolent and refractory Sovereign to a sense of what was due to the Supremacy of the British Government upon Java."—We should like much to know the reasons which led to the overthrow and captivity of this Eastern Sovereign.

The trial of Mrs. Bowles, the widow of the late General, for bigamy, is fixed for to-morrow. Mr. Brougham is retained for the lady, with Mr. Allen.

The Editor of the *Morning Post* has not attempted to *prove* the daring assertion he recently made, that the paragraph for which we are now in confinement contained "*infamous lies.*"—This is his bare affirmation, which though he is mean enough to make, dare not attempt to justify.—Now, as to this point of *truth*, whatever opinions may be given upon the propriety of the publication, we shall never cease to maintain it, when called upon, at the risk even of never passing the doors of our prisons but to our graves.—We will not submit to the imputation of having given up our paper to falsehood; nor suffer it to be confounded with those infamous publications, which know no difference between falsehood and truth, when what they conceive to be their *interest* is concerned.—Therefore we again distinctly assert, that every line of the obnoxious paragraph was strictly and notoriously *true*—as true as that a paper called the *Post* is published in this capital, proverbial for its bad writing, its subserviency to ministers, and its utter want of decency and dignity.—As far as we have heard, only two persons in the kingdom have had the hardihood to charge the writing with falsehood; and who are they?—One, the hired agent of the Prosecutor—the other, the notorious tool of the Ministry!—Why will not this mean man be quiet?

The Rev. Mr. Coxe, who has been so active in promoting the Petition of the Chapter of Salisbury, cannot, we are confident, be the enlightened traveller of that name who favoured the world near forty years ago with a book upon Switzerland. That observant writer, who was also an ecclesiastic, informs us, in Letter VI. on the Canton of Glarus, that there "The Protestants and Catholics successively perform service in the same church, and all the offices are amicably administered by the two parties.—During the present and preceding century the Protestants have increased considerably in number, and their industry in every branch of commerce is greatly superior; an evident proof how much the tenets of the Roman Catholic Church fetter the genius, and depress the powers of exertion."—The traveller, therefore, was convinced, by local observation, that political power might be entrusted indiscriminately to Catholics and Protestants, not only without danger to the religion of the latter, but with the probable effect of increasing their numbers, and animating their industry.—The effects of the opposite system we all know by experience. Persecution and confiscation formerly, disqualifications, exclusions and insults, have neither converted Irish Roman Catholics, or diminished their population, their activity, or their wealth—for in Ireland, where they are excluded from their natural rank in society, they increase upon the Protestants. In Glarus, where they were admitted to their full share in the Government, the Protestants increased upon them.—*Morning Chronicle.*

The Lord Chancellor Eldon, whose salary amounts only to 40,000*l.* a-year, most generously consents to pay half the income (2500*l.*) of the intended Vice-Chancellor, although he cannot perform more than half the work of the Chancellor.

"It is no such thing, that the Prince has ordered to be published, a scale of the *current prices* of sittings in Saint Stephen's, and other articles of a similar nature; the truth is, that by a 'singular coincidence,' a weekly list *is* published 'Prince's *London Prices Current*,' but which, we can from inspection testify, never has (of late at least) included a single commodity of the above nature."—*Midland Chronicle.*

On Saturday, *Jacob Denny* was indicted, at the Old Bailey, for feloniously smuggling goods from the coast of France, and landing the same in this country. This offence is recognised by an Act of the 48th of his present Majesty, providing against illegal importations; and it was the first case of the sort which had been brought before the Court. The prisoner, it appeared, was mate of a smuggling cutter, Southgate, master. The cutter sailed from Broadstairs, Kent, and touched at Dunkirk and Gravelines, and although pursued by British cruizers, with one of which she exchanged a shot, her contraband cargo was landed in Cornwall. The facts were clearly proved in evidence, and the prisoner was convicted, but the Jury recommended him to mercy, on the ground that the present was a new case.

THEATRICAL EXAMINER.

No. 128.

COVENT GARDEN.

We hardly know whether we felt more pleasure or pain at the re-appearance of Mrs. Jordan on the boards of a theatre. The mere unfeeling moralist may experience satisfaction at the contemplation of retributive justice, and with a cold calculation of cause and effect, may gladly add to his catalogue another instance of the necessary connection between indiscretion and misfortune. A benevolent mind, on the contrary, views with grief every fresh proof of the vicissitudes which chequer human existence, and finds its sorrow trebly augmented, where the charge befals one, who but for the accidental possession of peculiar talents, must, from the nature of the case, have sunk never to rise again. We hasten however from these gloomy reflections to the more refreshing part of the subject. It was with infinite delight that we saw Mrs. Jordan still in the full unimpaired possession of her talents. It would be to repeat the hundred-times repeated tale of Troy:—it would be to imitate the country gentlemen, who in their maiden speeches descant for the twenty-thousandth time, on the excellence of the British Constitution:—it would be an impertinence even more nauseous than all this, if we were at this late period to offer to the public a review of the excellencies of this its old and favourite actress. For who is there who has not heard of her interesting simplicity, her natural grace, her playful originality, and all those uncommon charms of manner, which constitute an *unique*, which if lost, one can hardly expect "to see its like again." Such she was, and such she still is: her qualities are as impressive and distinctly expressed as ever. Her person, indeed, is altered, not so much we confess to our own taste, as it would be to the half-shut eyes of an unwieldy Mandarin. We are rather sorry to see this accession of size in Mrs. Jordan, because the sort of characters which she personates with most effect are romps, and flirts, and hoydens. We certainly are not aware that Nature has affixed any precise limit of bulk within which a girl may frisk, and beyond which she must be grave and steady: yet we rather believe that those whose persons exceed two square yards are not generally inclined to preter-natural agility, nor are apt to mistake themselves for sylphs or fairies. On the stage indeed fancy may do much: one may, by

the aid of its powerful magic, imagine forty yards of cloth-covered boards to be the identical city of Rome, or the very plains of Pharsalia: one may by its more powerful influence believe (oh! strange) that Mr. EGERTON is Julius Cæsar, and Mr. CLAREMONT a Roman Senator. But fancy, if it can go so far, can positively with all its winking credulity go no farther: and ladies, who are *en très bon point*, must not hope to pass for light-footed Misses of sixteen. We do not agree indeed with *Serjeant Kite*, and with other authority equally respectable, that a hero must be six foot high without his shoes, and that gentility cannot possibly be more than one span in the waist: but we think that there is a fitness necessary to please the eye, for which the exercise of the most enchanting talents cannot compensate. Who latterly could endure even Mrs. SIDDONS in *Belvidera*, doating and doated upon, uttering and hearing all those pretty amorous fooleries which at twenty are consistent and charming, at sixty are unnatural and disgusting? We think therefore, that Mrs. JORDAN's person is almost an invincible obstacle to her pleasing in such characters as the *Country Girl*, the *Spoil'd Child*, or *Miss Prue*.—We were forcibly struck with those impressions last Wednesday, on seeing Mrs. JORDAN's performance of *Miss Prue*, in CONGREVE's masterly play of *Love for Love*, a play which at once exalts human nature by its display of vigorous intellect, and degrades it by its leaven of atrocious profligacy. The pert vivacity, the bashful forwardness, the reluctant obedience, the pouting acquiescence, and tricksome ignorance of that amusing damsel, were given with a fulness and distinctness which would have left us nothing to regret, had not the matronly and matured appearance of the actress been in perpetual and unconquerable contradiction to the childish peculiarities of the character which she personated. A blind man might have enjoyed the charm undiminished: but to all other persons the inconsistency was as great as would have been the appearance of the late Mr. LAMBERT, as the representative of "the herald Mercury, new lighted on a heaven-kissing hill." When she afterwards came forward as *Nell*, in *The Devil to Pay*, all our objections immediately vanished; we never saw a more perfect picture both in dress and manner. Mrs. DAVISON plays the same character with great skill and humour: but she is much inferior to Mrs. JORDAN, though in a way not easily explicable to those who have not seen both these ladies. Mrs. DAVISON, when the *Conjuror* has converted the rustic wench into a fine lady, immediately puts on the manners of a fine lady, with the dress, and seems quite at home in the new habiliments. Not so Mrs. JORDAN: she looks about her with an awkward stare, treads at every step on her unmanageable train, and manifests all that natural uneasiness which all persons feel on being thrust into a situation to which none of their habits accord. We might pursue this parallel of the two actresses in the manner of Plutarch, did we not fear that our portraits would meet the same fate as those of that acute Bœotian, and that no person would find the slightest analogy between our two contrasted descriptions. We shall therefore rather content ourselves with throwing away two or three words on the farce of *The Devil to Pay*, in confirmation of some remarks which we ventured to suggest last week. This farce is, we believe, one of the most popular on the British stage, though its absurdity, its dull vulgarity, its brutal raillery, would disgrace a nation just emerging from barbarism. Let us imagine a foreigner, who should walk into an English theatre; he sees its architecture worthy of the most polished ages of Greece, its actors intelligent and accomplished, its auditory elegant and enlightened: he listens perhaps to the dignified declamation of *Cato*, or the sublime ravings of *Lear*: he is transported at the grand combination which his eyes and ears have witnessed:—when suddenly he beholds the same audience, at the same theatre, laughing with the most extatic pleasure at gross buffooneries which would have degraded the itinerant cart of Thespis or Saunders. Verily, he would say, these English are incurable barbarians, or if not, at least incurable madmen.

The state of farcical jokes on the stage, has indeed arrived at that crisis that it calls for the healing power of some watchful superintendance. We have our Societies for the Suppression of Vice, and for the preservation of the Constitution, and the cookery of beef-steaks in their ancient purity, to say nothing of the society to watch over the continuance of the venerable game of whist: why not, therefore, embody a society for the suppression of bad jokes? We have not time to give a digested plan of such an assembly and its purposes, but shall merely suggest two or three hints for ingenious men to improve. We cannot quite make up our minds as to the persons who should constitute this committee, but we would insist, if possible, that no punster should be admitted. As that, however, seems impossible, we would allow the punsters to be in the proportion of one in ten. No person who has laughed more than twice at an indecent joke should be admissible; and blasphemers are particularly assured that their applications will be fruitless. Damned authors are not on that account incompetent, though they must submit to an examination of their qualifications. He who has made a well-educated company laugh oftenest without putting any individual to pain shall be elected President. If such a society were associated, we may suppose that some of their resolutions might be as follows:—

Resolved,—That though cuckoldom has been a good joke from time immemorial, yet, as it is rather stale, it shall not be admitted if any allusion to "horns" is introduced.

Resolved,—That nature is a respectable lady and ought to be imitated; yet that she has certain unseemly properties which no true son or admirer will force into notice.

Resolved,—That no gentleman will take advantage of the stage to obtrude before a decent audience obscenities and vulgarities for which a man would be kicked in private society.

Resolved,—That no more than one pun be admitted in one scene.

Resolved,—That the ridicule of personal defects be confined to Sadlers Wells.

Resolved,—That an Irishman be not introduced merely to make bulls, nor a Scotchman to take snuff, &c. &c. &c.

It would be easy to swell this list to an immense size; but let these few samples of the good resolutions which our imaginary committee might promulgate suffice for the present; meantime, till such an association is formed, an event which we can hardly hope, we shall continue to enter our occasional protest against the buffooneries, the indelicacies, and the follies which disfigure some of the most popular of the English Dramas.

FINE ARTS.

Mr. HAYDON's *Macbeth about to murder Duncan*, in last year's British Gallery Exhibition, and now in the European Museum, was so depictive of the terror inspiring text of SHAKESPEARE, and so masterly in its execution, that it far surpassed any previous painting in this country by any Artist of Mr. HAYDON's age and standing. It had indeed defects, but they were chiefly those of an over ardent, exuberant genius. As an inert mind is ever incapable, not only of any of the powerful thinking, but even of the extravagant originalities of genius, so the maturer reflections of the latter will in general eventually correct the wildness of its sallies, and its fanciful ebullitions will subside into a calm, but forcible flow of thought. It is thus with Mr. HAYDON, whose after thoughts have corrected the defects of his last year's *Macbeth*, and given it its due sobriety of tone and muscular action. The colouring of the flesh now reminds us of the candle-light glow of TITIAN; the hands and face of the sleeping groom are divested of their too veiny inflation; the legs of *Macbeth*, tottering with conscience-smitten horror, are in unison with the rest of his frame; and in fine, the entire piece is now in faithful accordance to the awful relation of the Poet.

The 9th No. of Mr. MOSES' collection of antique vases, patera, &c. have equal claim with his former beautifully engraved Numbers, to the estimation of the lover and professor of Art.

Mr. WEST has been offered ten thousand guineas for his grand historical picture of *Christ brought before Caiphas*, and five hundred guineas in addition to any larger sum than the above that may in future be offered,—a proposal unprecedented in the annals of Art. The extraordinary productions of genius, whether in Poetry or Painting, are indeed beyond any valuation in money, when we consider the transcendent talent, the length of time, and the rare intellect required to produce them.

We must defer, till next Sunday, our remarks on some admirable Pictures by RUBENS, TITIAN, &c. in Lord KINNAIRD's Collection of the Old Masters, that are shortly to be sold by Mr. H. PHILLIPS.

R. H.

(British Institution Exhibition in our next.)

ROYAL ACADEMY.

MR. FLAXMAN'S FIRST LECTURE ON SCULPTURE.

The following is a brief abstract of a Lecture delivered last Monday by the Professor of Sculpture to the Royal Academy. It is the first of a series, and was delivered in a peculiarly perspicuous style to a crouded and highly gratified audience. Its interest was much heightened by a rapid succession of beautiful and elucidatory Drawings and Sculptures.

Though Painting has the advantage of Sculpture in its being additionally expressed by the beautiful medium of colours, while the latter is indebted to form alone, yet they are both dependant for their display on the same studies and principles.

Sculpture has delighted and employed the human intellect in all countries, especially as it was engaged in the service of religion, and among the Israelites in particular, whose Cherubim in the Ark of the Covenant were made by Divine command. The estimation however of the Arts of Design was highest among the Greeks. The most distinguished characters practiced and patronized it. Plato studied Painting, Socrates engaged in it as a profession, and Aristotle and his pupil Alexander honoured it with their patronage.

A compendious view of English Sculpture previous to the establishment of the Royal Academy, will afford ample evidence of our national powers in that Art.

Soon after the arrival of the Romans, the British began to practice some of the Arts of Design taught them by their conquerors. The exhibition by the Professor of two busts found at Bath, displayed, among other proofs, their knowledge of Sculpture. Historians have described their magnificent buildings, tombs, &c. and their taste is testifyed by beautiful Mosaics found in various parts of the kingdom; but an imitating inferiority was displayed in their works compared with those of the same age executed in Italy.

After destroying the Roman works of Art, the Saxon invaders endeavoured to imitate them in clumsy Architecture, and monstrous Sculpture. In the reign of Edgar, imitations were made of the Designs of the Greek Christians, and in Lincoln Cathedral there are a series of Sculptures from Scripture History, executed in that of the Conqueror. The Normans introduced figures of the deceased on tombs. The West front of Wells Cathedral is magnificently decorated in Alto relievo with prominent subjects from the Old and New Testaments, and with statues larger than life of the regal and ecclesiastical patrons and benefactors of the Church, the whole finished under the direction of Bishop Joceline, in 1240, several years before the churches in France or Italy were distinguished by any exterior decoration. Edward 1st's reign produced an elegant monumental novelty in the stone crosses erected to Queen Eleanor, of which those at Waltham, Goddington, and Northampton, are beautiful remains. Her Statues are graceful examples of the School of the Italian Sculptor Pisani. The tombs of Edm. Crouchback and Aymer de Valence, are specimens of the Sculptural and Architectural beauty attained to in Edward 3d's time, and a statue of Henry 6th, at All Souls, Oxford. The Last Judgment over the South door of Lincoln Cathedral, and the monument of R. Beauchamp, Earl of Warwick, of the excellent Sculpture in Henry 6th's reign. Henry 7th's Chapel, Westminster, was the last sacred edifice richly adorned with Sculpture. Before the Reformation it was said to have contained 3,000 Statues in the interior and without, by English Artists, in a taste of simplicity and grandeur superior to the performances on Henry 7th's tomb, by TORRIGEANO, the Florentine.

From this time we must take a melancholy farewel of the liberal Arts in England. The indiscriminate destruction of Images during the reformation in religion, annihilated the Arts of Painting and Sculpture in England, at a time when DA VINCI, M. ANGELO, and RAFFAELLE, exalted those Arts to their highest grandeur in Italy. They have, however, eminently revived during the present reign, especially since the establishment of the Royal Academy, of which some of the productions of Mr. Banks are striking instances.

LE CAPTIF.

SIR,—The notice which you have more than once taken of M. Lucien Bonaparte and his poetical studies, leads me to think that there is no impropriety in sending you the accompanying verses. Printed copies of them have been handed about Worcester, where they are generally attributed to the philosophic fugitive, who has left "Despair and sceptered care" to enjoy a lettered retirement, in the bosom of a beautiful country, and in a land of freedom.—Some of our zealous loyalists, however, who seem to consider it little short of high treason to believe that the Bonaparte family can achieve any thing either in arts or *arms*, and who perhaps know, by their own experience, how herculean a labour it is to string together a few rhymes,—entertain no doubt of Lucien's having procured somebody to write this piece for him. For my own part, I look upon them to be just as correct in this particular, as they are in religiously believ-

ing that Napoleon owes his elevation to pre-eminent stupidity and bare-faced cowardice,—Why Lucien should be unable to succeed in composing a few verses,—a task daily performed, as our Magazines and Newspapers bear witness, by Corydons who sigh behind counters, and Phyllises who carry out band-boxes,—I am no more able to discover, than I am why the Emperor of the French should have risen to power and importance by the very qualities which keep other men in obscurity and indigence.

Much cannot be said in praise of this little piece; yet it is interesting enough as breathing sentiments, which the situation of the reputed author warrants us to believe are sincere. That Napoleon would turn his ambition this way is much to be wished, though scarcely to be expected, even should we tempt him with a guarantee for the integrity of an empire which might be chalked out for him in Grub-street;—particularly when we consider the claims which his natural enemies, the Fitzgeralds of public dinner notoriety, have to the dominion of that quarter,—there

——— To reign without dispute
Thro' all the realms of nonsense absolute.

I am, Sir, yours sincerely,

Worcester, Jan. 28, 1813. R. F. E.

LE CAPTIF.

Par-tout on trouve en son chemin,
Le peine attachée à la vie;
Mais on ne sent le vrai chagrin
Qu'en souffrant loin de sa patrie.

Si quelquefois un doux sommeil
Dépeint la rive tant chérie,
Son ame est navrée au reveil,
De ne plus trouver sa patrie.

Lorsqu'en invoquant l'avenir
Le Captif un moment s'oublie,
Sa chaine excite un souvenir—
Le souvenir de sa patrie.

Si, par des êtres généreux,
Il sent sa douleur adoucie,
Son cœur un instant est heureux;
Mais il est loin de sa patrie.

[The above is certainly not the production of LUCIEN BONAPARTE;—he has not only denied the report, but it is pretty well known, that a French Officer,—a prisoner of war,—on passing through Worcester some time ago, distributed several printed copies of the Piece,—at the bottom of which the following words appeared:—"Extracted from Richards' State of France."—*Ex.*]

GENERAL FAST.

GENTLEMEN,—Lamenting the extreme hardship of your fate, I was drawn into a serious chain of thought last Sunday evening, on the alarming corruption, Vice, Immorality, and Profligacy of the times, which I have long observed it has ever been the object of your Paper to expose and repress. I am surprized that in this enlightened age, the Laws of God and those of Man should so widely differ.—By the unalterable Laws of God, to speak the *Truth* boldly, in order to check Vice and Sin, is not only justifiable, but an indispensable duty to every man; whereas now *Reprovers* are termed "*Libellers*,"—a word not to be defined in our days,—and the *pretended* offender is torn from the bosom of his family, thrust among felons, condemned to long and gloomy imprisonment, and loaded with such heavy fine and suretyship, as may amount to imprisonment for life! This punishment is inflicted with such a heavy hand on purpose to break the spirit and stifle the voice of honour and truth, and to reduce the Reformer to the contempt of society; but so different are the ways of God, from those of men, that the persecution *shall* exalt the sufferer, and give him that comfort that the world cannot give. "Heaviness may endure for a night, but Joy cometh in the morning."

I observe, Gentlemen, that a General Fast is shortly to be held. It is to be hoped, that on the holyday arriving, the *great*, in particular, will set a proper example to the lower orders; and let him who has perverted the Laws of God, to answer worldly purposes, "*repent and sin no more*," and not take the bread of life and cup of salvation in his hand in the morning, and his harlot in his arms in the afternoon: but put away all "rioting and drunkenness, chambering and wantonness, gambling and profaneness, and receive with meekness the engrafted word that is able to save the soul.

Egham. A TRUE CHURCHMAN AND REFORMER.

UNIVERSITY HONOURS.

MR. EXAMINER,—As one of the bad signs of the times, I wish to call the attention of your readers to an omission in the *Morning Post* of Friday week, which if accidental, is the most extraordinary circumstance ever witnessed, and if designed, is so disgraceful, that low as is my opinion of the politics and principles of that paper, I yet am acquainted with no terms sufficiently strong to convey an adequate idea of its baseness. It is pretty generally known, that as the honours, as they are called, which are bestowed upon the young men who take their degrees in the University of Cambridge are never given but after a severe examination, and are very fairly given, they form a pretty true test of merit; and are sought with the greatest avidity by all those who are excited by the spur of fair fame and laudable ambition; and the friends of the young men who distinguish themselves by obtaining them, are very justly gratified. The *Morning Post* of Friday last, purports to give a true list of those names whom the University has held up, as having done her credit, and as examples of application and talent to their fellow Students. This is perfectly a true list in respect to every name but *one*, and that is the name of the young man who has distinguished himself so much by attaining the *fourth* place upon it. The first is in its proper place, so is the second, and so is the third, but the fourth is not to be found there. Now I put it to the common sense of every honest man, whether such an omission could have taken place by accident? or whether it *must* not have been by *design*? and that the person who made out the list conceived the dirty feelings of his readers to be in unison with his own, and therefore struck out of it the name of Romilly, a name loved and honoured by every man of every party to whom learning, wisdom, and virtue are dear, and for that reason perfectly unfit to be seen in the columns of the *Morning Post*.—Remain, Sir,

YOUR CONSTANT READER.

TOWN CLERKS.

SIR,—Your Correspondent *R. T.* indulges himself in a very

bitter philippic upon Town Clerks in general, and against one individual of this body his animosity seems most vehemently excited, and indeed with sufficient cause, *if the story he tells be correct.*

Mr. *R. T.* informs the world, that he being a young shopkeeper, in a town within an hundred miles of London, was dragged before the Magistrates for the crime of taking in goods at his own shop door. He forgets indeed to state what passed before the Magistrates, but, from the indignation he expresses, gives us reason to suppose, that some outrageous injury or oppression was committed against him by the Magistrates, or their *dragon of a Town Clerk.* The particular nature of this injury I shall perhaps be able to explain presently.

Mr. *R. T.* says further, or at least very plainly insinuates, that by the instrumentality of the Magistrates, and their Minister the Town Clerk, he has been maliciously and vexatiously thrust into sundry parish offices to his very great grievance and annoyance.

Upon reading the account of these grievances, *as detailed by Mr. R. T.*, I naturally felt, as I presume every honest man would feel, extremely indignant against his oppressors; and as I happen to live near the scene of action, and had previously heard somewhat of the story, I determined to be particular in my inquiries, and to come at the bottom of such apparent iniquity if possible. Well, Sir, I went to work, and interrogated a score or two of *R. T.'s* fellow-citizens, of various ranks and degrees, and you may judge how I stared when they all appeared to be in a league against your unfortunate Correspondent *R. T.*; for how can I otherwise account for the extraordinary circumstance, that every man told me exactly the same story, which was briefly this:—That Mr. M., I beg pardon, Mr. *R. T.*, has, it is true, been summoned before the Magistrates, not as he alleges *for taking in goods at his own shop door*, but that he, after repeated warnings, persisted, in contravention of the laws, and in open and avowed defiance of magistracy, in placing or exposing his wares in the highway, in front of his house, to the manifest annoyance and danger of all passengers, whether on foot or in carriages: That the bullying, insolent, overawing, terrible Town Clerk, was, in truth and in fact, a very worthy, intelligent, and upright gentleman: That Mr. *R. T.*, when called upon to abate the nuisance, conducted himself so insolently to the Magistrates, that many persons marvelled at the supineness of their Worships in not instantly committing him: That in respect to Mr. *R. T.* being vexatiously put into parish offices, if such were the case, it must have been the act of his fellow parishioners and neighbours, as neither the Magistrates nor the Town Clerk have any more interference in such nomination than the Emperor of China. It is impossible you see, Mr. Editor, to reconcile these stories. I conclude then my informants have all been actuated by private picque or jealousy, or rival interests, or God knows what other motives; for it must be admitted they cannot by any possibility be so well acquainted with the facts as Mr. *R. T.*; and as he has craved advice from you, or any of your Correspondents, how to act, I shall assume that he can substantiate the case *as he has stated it*, and offer him my best counsel upon the occasion.—There are various modes of proceeding; the true dashing thing for a young man of *R. T.'s* spirit would be to adopt them all, and, if I judge him right, he will be well inclined to do so.

In the first place, he should petition Parliament, or get a Bill brought in, to repeal the law, by which he has been compelled to move his goods from the street into his shop, and upon this principle.

A law to be good must be to the advantage of the whole.—*R. T.*, a part of the whole, has been aggrieved by this law.—Ergo—The law is bad.

Let him move the Court of King's Bench for a criminal information against the Magistrates; and at the same time bring a separate action for damages against each of them, and the Town Clerk. He may also indict the whole for a conspiracy; and I have little doubt but an ingenious lawyer would devise the means also to file a bill in equity that would tease them for half a century. Whichsoever of these methods Mr. *R. T.* may adopt, he will be certain of gaining some information and experience, which may eventually be useful to him.

I heartily wish he could bring them within the law of libel, but of this I am afraid there is no chance; for although it should appear that the truth in this, as in some more important concerns, has been publicly spoken *and very generally believed*, yet as it has not that I know of *been printed and published*, I cannot flatter your Correspondent with any hopes of shutting up the worshipful Bench for a year or two in Newgate.

J. L. V.

THE CATHOLICS.

TO THE PROTESTANTS OF GREAT BRITAIN AND IRELAND.

In the last Sessions of Parliament, the House of Commons came to a resolution, that "the House would early in the "next Session take into its most serious consideration the laws "affecting his Majesty's Roman Catholic subjects in Great "Britain and Ireland, with a view to such final, conciliatory "adjustments, as might be conducive to the peace of the "United Kingdom, the stability of the Protestant establish-"ment, and the general satisfaction and concord of all classes "of his Majesty's subjects."

Encouraged by this resolution, the Roman Catholics of England and Ireland intend presenting immediately separate Petitions to each House of Parliament, "for a repeal of the penal "and disabling statutes, which still remain in force against "them."

In the mean time they observe with great concern and surprise, that attempts are made to prejudice the Legislature against their application. Many erroneous, artful, and inflammatory publications of this tendency have been actively and extensively circulated. The charges brought in them against the Roman Catholics, are of the most serious nature. The object of this address to you, is to answer these charges, and to state to you, succinctly, the grounds of the intended application of the English Roman Catholics to the Legislature for relief. The greatest part of what is intended to be said in the address will apply, in a great measure, as much to the situation of the Irish and Scottish, as to the situation of the English Roman Catholics: but as the penal codes of Ireland, Scotland, and England, in respect to Roman Catholics, are very different, it has been thought advisable to confine the present address to the care of the English Roman Catholics only.

I. It is generally represented in the publications of which we complain, that the English Roman Catholics *labour under no real grievance*; and that, if all the remaining penal laws against them were repealed, *the number of those, who would be really benefitted by the repeal, would be too insignificant to make their relief an object of legislative concern.*

But this representation is altogether erroneous—the English Catholics labour under many severe penalties and disabilities: their whole body is affected by them, and would be essentially benefitted by their removal.

1st. By the 13th Charles 2d, commonly called the Corporation Act, their whole body is excluded from offices in cities and corporations.

2d. By the 25th Charles 2d, commonly called the Test Act, their whole body is excluded from civil and military offices.

How injurious these acts are, both to the public and to the individuals on whom they operate, appeared in 1795, in which year, during the then great national alarm of invasion, Lord Petre, the grandfather of the present Lord, having, with the express leave and encouragement of Government, raised, equipped, and trained, at his own expense, a corps of 250 men for his Majesty's service, requested that his son might be appointed to the command of them. His son's religion was objected, his appointment was refused, and another person was appointed to the command of the corps. You cannot but feel how such conduct tended to discourage the Catholics from exertions of zeal and loyalty; but the noble family had too much real love of their country to recile from her service, even under these circumstances. His Lordship delivered over the corps, completely equipped and completely trained, into the

hand of Government, and his son served in the ranks. Surely you cannot think that laws, which thus tend to alienate the hearts, and paralyze the exertions of those who, in the hour of her danger, thus wished to serve their country, are either just or wise.

3d. By the 7th and 8th of William 3d, ch. 27, Roman Catholics are liable to be prevented from voting at elections.

4th. By the 30th Car. 2d, s. 2, c. 1. Roman Catholic Peers are prevented from filling their hereditary seats in Parliament.

5th. By the same statute Roman Catholics are prevented from sitting in the House of Commons.

6th. By several statutes Roman Catholics are disabled from presenting to advowsons, a legal incident of property, which the law allows even to the Jew.

7th. Though a considerable proportion of his Majesty's fleets and armies is Roman Catholic, not only no provision is made for the religious comforts and duties of Roman Catholic soldiers and sailors, but, by the Articles of War, they are liable to the very heaviest pains and penalties for refusing to join in those acts of outward conformity to the religious rites of the established Church, which a Roman Catholic considers to amount to a dereliction of her faith. By the Articles of War, sect. 1, a soldier absenting himself from divine service and sermon, is liable, for the first offence, to forfeit 12d. and for the second, and every other offence, to forfeit 12d. and to be put in irons. By the same Articles, sect. 2, art. 5. "If he "shall disobey any lawful command of his superior" (and, of course, if he shall disobey any lawful commands of his superior officer to attend divine service and sermon), "he shall suffer "death, or such other punishment as by a general Court "Martial shall be awarded."

In the last Parliament, it was shewn that a meritorious private, for refusing (which he did in the most respectful manner) to attend divine service and sermon, according to the rites of the established church, was confined nine days in a dungeon on bread and water.

The Roman Catholics acknowledge with gratitude, not only the virtual suspension of these laws, in consequence of the orders recently issued by his Royal Highness the present Commander in Chief, and the facilities which they afford for enabling the Roman Catholic soldiers to attend their own religious worship; but they beg leave to observe, that these humane regulations still want the firm sanction of law, and therefore, to a certain extent are still precarious.

8th. In common with the rest of his Majesty's subjects, Roman Catholics contribute to the religious establishment of the country: they have also to support their own religious functionaries; and thus, have a double religious establishment to defray. Of this, however, they do not complain; but they think it a serious grievance, that their own religious endowments are not legalized like those of the Protestant Dissenters.

In hospitals, workhouses, and other public institutions, the attendance of the ministers of their own communion is sometimes denied to the poor of the Roman Catholic Religion, and the children of the Roman Catholic poor are sometimes forced into Protestant schools under the eyes of their parents.

II. Such, fellow subjects, is the particular operation of the principal laws still remaining in force against your English Catholic brethren. The *general effect* of them is, to depress every member of the body below his legitimate level in society.

Even in the very lowest order of the community, some situations conferring comfort, emolument, or distinction, are open to the individuals of that class, and in proportion as the several classes of society rise into importance, these situations are multiplied. From all of them the law excludes the English Catholic. This effectively places him below his Protestant brethren of the same class, and makes the whole body in the estimation of the community a depressed and insolated cast.

This the Roman Catholics severely feel, but it is not by its substantial effects alone that they feel their depression. Some avenues of wealth are still open to them, none to honours or distinctions. Thus, thousands of those possibilities, the prospect and hope of which, constitute a large portion of the general stock of human happiness, are peremptorily denied to the Roman Catholics. No hope of provision, of preferment, of honours, or dignity, cheers their souls or excites their exertions. A Roman Catholic scarce steps into life when he is made to feel, that nothing, which confers them, is open to him; and however successful his career may have been, it seldom happens that his success has not been on more than one occasion, either lessened or retarded by the circumstance of his having been a Roman Catholic.

Here then our Protestant countrymen are called upon to place themselves in our situation; and to reflect, what their own feelings would be, if, from a conscientious adherence to their religious principles, they belonged to a class thus legally degraded. How often would they substantially feel the effects of this degradation? How many of their hopes would it destroy?—how many of their projects would it ruin? Surely a petition to the Legislature, from any portion of his Majesty's subjects, for the removal of such a woe, is entitled to the sympathy and aid of every other portion of the community.

III. We are sometimes told, that *however the repeal of the laws complained of by the Roman Catholics would benefit them, it would confer no real benefit to the State;* and that, as no alteration of law should take place, unless it promotes the general welfare of the State, the laws complained of should remain in force.

But we beg leave to submit to the consideration of our countrymen, that the whole kingdom would be essentially served by the repeal of the penal laws remaining in force against his Majesty's Roman Catholic subjects. On this head, the writer of these columns requests your particular attention.

Two-thirds of the population of Ireland, and no inconsiderable proportion of the population of England, is composed of Roman Catholics. It is obvious that the feelings of this large proportion of the community are wounded, in the highest degree, by the penal and disabling laws to which they are subject; and that they consider themselves highly injured, insulted, and degraded by them. Now, must it not be beneficial to the State, that this extensive feeling of insult, injury, and degradation should be healed? Do not wisdom and sound policy make it the interest of the State, that every circumstance which leads this injured, insulted and degraded, but numerous portion of the community, to think that any new order of things must end their injury, insult and degradation, and is, therefore, desirable, should be removed as soon as possible? Surely the removal of it must be as advantageous to the State, as it will be advantageous and gratifying to the persons individually benefitted by it.

But this is not the only circumstance which would make the repeal of the penal laws a general benefit to the State. Again we request you to consider the immense number of his Majesty's Roman Catholic subjects, and the great proportion which it bears to the rest of the community.—What a proportion of genius, of talent, of energy, of every thing else, by which individuals are enabled to distinguish themselves, and benefit and elevate their country, must fall to their share;—But all this, for the present, is lost to you, in consequence of the penal codes. Is the subtraction of this prodigious mass of probable genius, talent, and wisdom, from the general stock, no detriment to the State?—Surely it is a national loss. Thus while the penal code harasses the individual object of its infliction, it contracts and paralyzes, to an amazing degree, the strength, powers, and energies of the whole community.

(To be continued.)

LAW.

COURT OF COMMON PLEAS,

Tuesday, Feb. 16.

GREEN *v.* HARDER.

This was an action for criminal conversation with the plaintiff's wife, and the damages were laid at 2000*l.*

Mr. Serjeant SHEPHERD then detailed the facts. The plaintiff, in May 1808, was stationed at Messina, as Paymaster to the 81st regiment, and was there married to a Miss Rutherford, sister of Capt. Rutherford. Mr. and Mrs. Green continued to live together till November, 1810, during which time she had two children. On account of some differences with her husband, she was then sent to England, where she arrived about February 1811. She took lodgings in Lambeth Walk. Mrs. English, suspecting that she had here an improper intimacy with the defendant, who is a Clerk in the Auditor's Office, called upon her one day, and was refused admittance, for near half an hour. In the mean time the defendant had leaped from her window. In fact, they lived together here for about three weeks as man and wife, the defendant passing by the name of Green. From the time she left Sicily, Mr. G. made her an allowance of 12*l.* a month.

Serjeant BEST delivered a very animated speech for the defendant, first denying that there was sufficient evidence of the adultery; and 2dly, insisting that his client had been seduced, instead of being the seducer.

Sir J. MANSFIELD said, there appeared to him to be ample evidence of the criminal act; but it would be for the Jury to say what would be a proper compensation to the plaintiff for the loss of such a woman. There was here no single circumstance to aggravate the defendant's guilt. He might have been totally ignorant of the existence of the plaintiff, and for any thing proved, he might have picked up this woman in the streets.

Verdict for the plaintiff—Damages, *One Farthing*.

OLD BAILEY.

On Friday, *M. Jervis* was indicted for feloniously presenting a pistol at Mr. Illidge, with intent to kill or maim.

The prosecutor was Church-warden of St. Bartholomew the Great, and the prisoner was a pensioner belonging to the parish, but he had lately been able to provide better for himself, and the parish allowance had been withheld from him. On the 15th ult. he went to the prosecutor, complaining of having his allowance stopped. The prosecutor remonstrated on the impropriety of any further aid being granted; but he advised him to appeal to the Committee, or to the Magistrates at Guildhall. Having got the street door half opened, the prisoner turned round, and said in a low tone of voice, "If you won't do any thing for me, I'll do something for you;" and drawing a pistol from his side pocket, he seemed to take an aim at the prosecutor's left side, not more than eight inches from him. The prosecutor seized the pistol, and scuffled with the prisoner until he got him outside the door, when he was secured.

Mr. BARON WOOD was of opinion, that even attempting to draw the trigger would not be sufficient for the words of the Act of Parliament. The act must be tantamount to drawing the trigger; and however bad a case, the Jury would acquit the prisoner, which was done, but he was detained for the assault.

George Wintle was indicted for feloniously forging and making a certain Stamp, resembling that of the Directors at Goldsmiths'-Hall, used for marking and stamping gold and silver, with intent to defraud the revenue.

Mr. Justice BAILEY, in summing up observed, that to find the prisoner guilty, the Jury must be satisfied he either forged the stamp or was privy to it, and that the forgery was committed.

The Jury retired a quarter of an hour, and returned a verdict of Acquittal.

ACCIDENTS, OFFENCES, &c.

Lord Montfort and Col. Delap, who were proceeding to fight a duel, on Sunday morning last, on the common between Romford and Chelmsford, were interrupted by the Bow-street Officers, (who, some how or other, had got scent of the affair) taken into custody, and compelled to give bail to keep the peace for one year.

MARRIAGES.

On Monday, Wm. Thompson, Esq. of the Stamp Office, to Miss Johnson, of Walton-upon Thames.

At St. George's Church, the son of Lord Charleville, to Miss Ellis, daughter of John Ellis, Esq. of the Isle of Wight.

DEATHS.

On Thursday week, at his seat at Stowe, the Right Hon. George Grenville Nugent Temple, Marquis of Buckingham, Lord Lieutenant of Bucks, and one of the Tellers of the Exchequer. His Lordship was in the 60th year of his age, and is succeeded in his titles and estates by his eldest son, Lord Temple. By his death the country is relieved from another of the old class of Tellerships, the emoluments of which, arising from a per centage on the annual expenditure, increased in proportion to that expenditure, and have been estimated at the enormous amount of 35,000*l.* per annum!! Lord Camden is now the only surviving one of the old class of Tellers. All the succeeding are limited to 4000*l.* per annum. The vacant Tellership has, we understand, been conferred upon the eldest son of the late Mr. Perceval, upon condition of his relinquishing the Pension of 1000*l.* a year granted him by Parliament, and the reversion of another 1000*l.* a year which was settled upon him at the death of his mother. The property to which Lord Temple succeeds by the death of the Duchess of Chandos, is stated at little less than 20,000*l.* a year; and by the death of the Marquis, he becomes one of the richest men in Great Britain. For, besides the concentration of five great family estates, there is an accumulation in ready money almost countless;—they talk of a million, nay, of two millions, the enormous profits of the Tellership, with the inundation of savings from his vast estates.

On Sunday, at Sunning-hill, Lady Wentworth, wife of Sir John Wentworth, Bart.

On Wednesday, after an illness of many months, Mr. Anthony Cardon, the celebrated Engraver, of London-street, Fitzroy-square, in the 39th year of his age.

On the 12th inst. in Hurley-street, John Hope, Esq.

On Sunday last, very suddenly, Sarah, youngest daughter of John James Thornhill, Esq. of Canterbury-row, and niece to the author of that name.

On Thursday last, at his house in Canterbury-place, Lambeth, Mr. Edward Hall, aged 81, many years card maker to the Queen.

On Wednesday, at his house, in the College of Physicians, Thomas Ramsden, Esq. Surgeon to Christ's and the Foundling Hospitals, and Assistant Surgeon to St. Bartholomew's Hospital.

Saturday morning, at the advanced age of 88, Henry Bunn, Esq. upwards of sixty years Vestry Clerk of the parish of Christ Church, Surry; in him (says a correspondent) is exemplified what it is possible for industry, aided by economy, to effect. He rose from the humble situation of School-master to the parish children, at a salary of 20*l.* per year, to the elevated sphere of a Justice of the Peace and Deputy Lieutenant of the County.—He has bequeathed to the parish the following donations:—Mens' Almshouses, 10,000*l.*; Womens' ditto, 5,000*l.*; the Charity Schools, 5,000*l.*—This places the character of the man and Christian far beyond what the pen of the eulogist can bestow.

On the 5th instant, aged 77, Mrs. Catherine Pearse, a Pensioner of the *National Benevolent Institution*, in Bath. This worthy woman had been reduced by unmerited misfortunes to that last resource of old age and penury—the poor-house. Her former respectability in life induced the Committee to take her from the situation in which she had placed herself, put her into comfortable lodgings, and allowed her a pension of 16*l.* per annum. Her remains were attended to Widcombe church by the following Gentlemen of the Committee, viz.—Colonel R. Astley, Deputy Chairman and Trustee; R. Henshaw, Esq. C. Coane, Esq. and Col. T. Shaw.

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